

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY  
STATE OF MISSOURI

RECEIVED AND FILED  
CIRCUIT COURT OF  
ST. LOUIS COUNTY

13 MAY 22 PM 4:01

AMON WEST,

Plaintiff,

vs.

HEATHER WRIGHT, CITY OF  
HAZELWOOD, MISSOURI, BRADLEY  
BEEMAN, GEORGE ERVIN, BRITTANY  
RICHARDSON, KEVIN ROBERTS,  
EVELIO VALDESPINO, JOHN DOE 1, AND  
THE CITY OF BERKELEY, MISSOURI,

Defendants.

Cause No: 13SL-CC01401

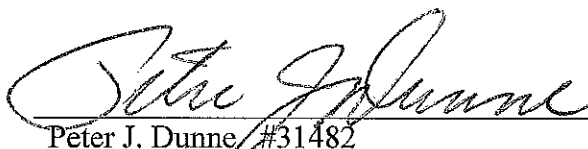
JOAN M. GILMER  
CIRCUIT CLERK

**JURY DEMAND REQUESTED**

***NOTICE OF FILING NOTICE OF REMOVAL***

TO: CLERK OF THE COURT AND THE ABOVE NAMED PLAINTIFF AND THEIR  
ATTORNEYS OF RECORD.

You are hereby notified that defendants have filed in the United States District Court for  
the Eastern District of Missouri, Eastern Division, a Notice of Removal, a copy of which is  
attached hereto.



Peter J. Dunne #31482

Robert T. Plunkert #62064

PITZER SNODGRASS, P.C.

Attorney for Defendants Wright and Hazelwood

100 South Fourth Street, Suite 400

St. Louis, Missouri 63102-1821

(314) 421-5545

(314) 421-3144 (Fax)

Email: dunne@pspclaw.com

Email: plunkert@pspclaw.com

A copy of the foregoing was hand-delivered to the Clerk of the Circuit Court of St. Louis County, this 22<sup>nd</sup> day of May, 2013 and mailed to the following: **Thomas P. Germeroth** Attorneys for Plaintiff, 7730 Carondelet, Suite 310, Clayton, MO 63105.

Margaret Hoy



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMEROTH SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: KEVIN ROBERTS  
Alias:  
5850 NORTH HANLEY ROAD  
BERKELEY, MO 63134

**COURT SEAL OF**  
  
**ST. LOUIS COUNTY**

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-MAY-2013  
Date

Further Information:  
TLC

*Joan P. Delaney*  
Clerk

**Sheriff's or Server's Return**

**Note to serving officer:** Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.

☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to ROCHELLE THOMAS (name) BPD CLERK #506 (title).

☐ other \_\_\_\_\_

Served at 5850 N HANLEY (address)  
in ST LOUIS (County/City of St. Louis), MO, on 5-26-13 (date) at 11:15 (time).

JERRY BAUSCH Printed Name of Sheriff or Server  
John B. Bausch Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:  
Subscribed and sworn to before me on \_\_\_\_\_ (date).  
My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Notary Public

**Sheriff's Fees, if applicable**

Summons \$ \_\_\_\_\_  
Non Est \$ \_\_\_\_\_  
Sheriff's Deputy Salary \$ \_\_\_\_\_  
Supplemental Surcharge \$ 10.00  
Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)  
Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

MAY 03 2013



## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMEROTH SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: EVELIO VALDESPINO

Alias:

5850 NORTH HANLEY ROAD  
BERKELEY, MO 63134

6 BANCIS JR

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-MAY-2013

Date

Further Information:  
TLC

  
Clerk

## Sheriff's or Server's Return

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I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.

☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

ROCHELLE THOMAS

(name) BPD CLERK

(title)

☐ other

Served at 5850 N HANLEY (address)

in ST LOUIS (County/City of St. Louis), MO, on 5-7-13 (date) at 1115 (time).

JERRY BANCIS

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on (date).

(Seal)

My commission expires:

Date

Notary Public

## Sheriff's Fees, if applicable

Summons	\$	
Non Est	\$	
Sheriff's Deputy Salary		
Supplemental Surcharge	\$	10.00
Mileage	\$	( miles @ \$ . per mile)
Total	\$	

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

MAY 03 2013

2013 MAY 3 PM 3:06



## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMEROTH SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: **BRADLEY BEEMAN**  
Alias:  
5850 NORTH HANLEY ROAD  
BERKELEY, MO 63134

**COURT SEAL OF**  
  
ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-MAY-2013  
Date

Further Information:  
TLC

*Joan P. Delaney*  
Clerk

## Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.
- ☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

ROCHELLE THOMAS (name) BPD CLERK (title).

☐ other

Served at 5850 N HANLEY (address)  
in ST LOUIS (County/City of St. Louis), MO, on 5-7-13 (date) at 1115 (time).

JERRY BAUSCH  
Printed Name of Sheriff or Server

JTB  
Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

MAY 03 2013



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMEROTH SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: **GEORGE ERVIN**  
Alias:  
5850 NORTH HANLEY ROAD  
BERKELEY, MO 63134

**COURT SEAL OF**  
  
**ST. LOUIS COUNTY**

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-MAY-2013  
Date

Further Information:  
TLC

*Joan P. Delaney*  
Clerk

**Sheriff's or Server's Return**

**Note to serving officer:** Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.

☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to ROCHELLE THOMAS (name) BPD CLERK #1806 (title).

☐ other \_\_\_\_\_

Served at 5850 N HANLEY RD (address)  
in ST LOUIS (County/City of St. Louis), MO, on 5-7-13 (date) at 1115 (time).

JEOPY RAMSCH  
Printed Name of Sheriff or Server

JTB  
Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Notary Public

**Sheriff's Fees, if applicable**

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary \$ \_\_\_\_\_

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.





## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMEROTH SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: BRITTANY RICHARDSON

Alias:

5850 NORTH HANLEY ROAD  
BERKELEY, MO 63134

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-MAY-2013

Date

Further Information:  
TLC

*Joan P. Delaney*  
Clerk

## Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.
- ☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

ROCHELLE THOMAS

(name)

B.P.D. CLERK #804

(title)

☐ other

Served at

5850 N HANLEY

(address)

in

ST LOUIS

(County)

City of St. Louis), MO, on

5-7-13

(date)

1115

(time)

JERRY BANGS

Printed Name of Sheriff or Server

*JTB*  
Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on

(date)

My commission expires:

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$

Non Est \$

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ ( miles @ \$ . per mile)

Total \$

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

MAY 03 2013

2013 MAY -3 PM 3:06



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMEROTH SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: **HEATHER WRIGHT**  
Alias:  
415 ELM GROVE LN  
HAZELWOOD, MO 63042

**COURT SEAL OF**  
  
ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-MAY-2013  
Date

Further Information:  
TLC

*Joan P. Delaney*  
Clerk

**Sheriff's or Server's Return**

**Note to serving officer:** Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.

☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to James Hudanick (name) Police Captain (title).

☐ other \_\_\_\_\_

Served at 415 Elm Grove Ln, 63042 (address)  
in St. Louis (County/City of St. Louis), MO, on 5-7-13 (date) at 7:59 (time).

Scott Kiefer Printed Name of Sheriff or Server Scott Kiefer Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

(Seal) Subscribed and sworn to before me on \_\_\_\_\_ (date).  
My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Notary Public \_\_\_\_\_

**Sheriff's Fees, if applicable**

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary \$ \_\_\_\_\_

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

MAY 03 2013  
3 PM 3:06





IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMERO SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: CITY OF HAZELWOOD MISSOURI

Alias:

SERVE EDWIN CARLSTROM, CITY  
MANAGER  
1186 TESON ROAD  
HAZELWOOD MO 63042

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-MAY-2013

Date

Further Information:  
TLC

*Joan P. Delaney*  
Clerk

Sheriff's or Server's Return

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- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.
- ☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

Kim White (name) Human Resources Assistant (title).

☐ other

Served at 415 Elm Grove Ln, 63042 (address)

in St. Louis (County) City of St. Louis, MO, on 5-7-13 (date) at 8:05 (time).

Scott Kiefer  
Printed Name of Sheriff or Server

Scott Kiefer  
Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_ Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary \$ \_\_\_\_\_

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

MAY 03 2013

MAY 03 2013 PM 3:05



## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMEROTH SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: BRADLEY BEEMAN

Alias:

5850 NORTH HANLEY ROAD  
BERKELEY, MO 63134

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-MAY-2013

Date

Further Information:  
TLC

  
Clerk

## Sheriff's or Server's Return

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- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).
- ☐ other \_\_\_\_\_

Served at \_\_\_\_\_ (address)  
in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.




## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMEROTH SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: CITY OF HAZELWOOD MISSOURI  
Alias:  
SERVE EDWIN CARLSTROM, CITY  
MANAGER  
1186 TESON ROAD  
HAZELWOOD MO 63042

**COURT SEAL OF**  
  
**ST. LOUIS COUNTY**

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-MAY-2013  
Date

Further Information:  
TLC

*Joan P. Delaney*  
Clerk

## Sheriff's or Server's Return

**Note to serving officer:** Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

\_\_\_\_\_ (name) \_\_\_\_\_ (title).

☐ other \_\_\_\_\_

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMEROOTH SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: HEATHER WRIGHT

Alias:

415 ELM GROVE LN  
HAZELWOOD, MO 63042

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-MAY-2013

Date

Further Information:  
TLC

  
Clerk

## Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_ a person of the Defendant's/Respondent's family over the age of 15 years.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).

☐ other \_\_\_\_\_

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMEROTH SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	

(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: GEORGE ERVIN

Alias:

5850 NORTH HANLEY ROAD  
BERKELEY, MO 63134

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-MAY-2013

Date

Further Information:  
TLC

*Joan P. Delaney*  
Clerk

## Sheriff's or Server's Return

**Note to serving officer:** Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_ a person of the Defendant's/Respondent's family over the age of 15 years.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_

(name) \_\_\_\_\_ (title).

☐ other \_\_\_\_\_

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ (\_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMEROTH SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: BRITTANY RICHARDSON

Alias:

5850 NORTH HANLEY ROAD  
BERKELEY, MO 63134

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-MAY-2013

Date

Further Information:  
TLC

  
Clerk

## Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_ a person of the Defendant's/Respondent's family over the age of 15 years.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_

(name) \_\_\_\_\_ (title).

☐ other \_\_\_\_\_

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ ( _____ miles @ \$ _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.





## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMEROTH SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	

(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: KEVIN ROBERTS

Alias:

5850 NORTH HANLEY ROAD  
BERKELEY, MO 63134

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-MAY-2013

Date

Further Information:  
TLC

Clerk

## Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

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- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_

(name) \_\_\_\_\_ (title).

☐ other \_\_\_\_\_

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on \_\_\_\_\_ (date).

(Seal)

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.




## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMEROTH SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	

(Date File Stamp)

## Summons in Civil Case

**The State of Missouri to: EVELIO VALDESPINO**  
Alias:  
5850 NORTH HANLEY ROAD  
BERKELEY, MO 63134

**COURT SEAL OF**  
  
**ST. LOUIS COUNTY**

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-MAY-2013  
Date

Further Information:  
TLC

*Joan P. Delaney*  
Clerk

## Sheriff's or Server's Return

**Note to serving officer:** Summons should be returned to the court within thirty days after the date of issue.

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- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).
- ☐ other \_\_\_\_\_

Served at \_\_\_\_\_ (address)  
in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

(Seal)

Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_  
Non Est \$ \_\_\_\_\_  
Sheriff's Deputy Salary  
Supplemental Surcharge \$ 10.00  
Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)  
Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

RECEIVED & FILED  
CIRCUIT COURT OF  
ST. LOUIS COUNTY

# SUMMONS

IN THE CIRCUIT COURT OF ST LOUIS COUNTY  
2013 APR 29 PM 3:48 STATE OF MISSOURI

AMON WEST  
JOAN H. GILMAN  
CIRCUIT CLERK

Plaintiff,

v.

HEATHER WRIGHT, Individually and in  
her official capacity for acts done under color  
of state law in conjunction with police  
officers of the City of Hazelwood, Missouri

Serve: 415 Elm Grove Ln  
Hazelwood, MO 63042

and,

CITY OF HAZELWOOD, MISSOURI

Serve: Edwin Carlstrom  
1186 Teson Rd.  
Hazelwood, MO 63042

And,

BRADLEY BEEMAN, Individually and in  
his official capacity for acts done under color  
of state law in his capacity as a police officer  
for the Berkeley Police Department,

Serve: 5850 North Hanley Road  
Berkeley, MO 63134

and,

GEORGE ERVIN, Individually and in his  
official capacity for acts done under color of  
state law in his capacity as a police officer  
for the Berkeley Police Department,

Cause No.: 13SL-CC01401

Division No. 19

Serve: 5850 North Hanley Road  
Berkeley, MO 63134

and,

BRITTANY RICHARDSON, Individually  
and in his official capacity for acts done  
under color of state law in his capacity as a  
police officer for the Berkeley Police  
Department,

Serve: 5850 North Hanley Road  
Berkeley, MO 63134

and,

KEVIN ROBERTS, Individually and in his  
official capacity for acts done under color of  
state law in his capacity as a police officer  
for the Berkeley Police Department,

Serve: 5850 North Hanley Road  
Berkeley, MO 63134

and,

EVELIO VALDESPINO, Individually and in  
his official capacity for acts done under color  
of state law in his capacity as a police officer  
for the Berkeley Police Department,

Serve: 5850 North Hanley Road  
Berkeley, MO 63134

and,

JOHN DOE I, Individually and in his official capacity for acts done under color of state law in his capacity as a police officer for the City of Hazelwood, Missouri,

and,

THE CITY OF BERKELEY, MISSOURI

Serve: The Honorable Theodore Hoskins  
8425 Airport Road  
Berkeley, MO 63134

Defendants.

MEMORANDUM FOR CLERK

Enclosed please find, for filing on behalf of Plaintiff

- \$324.00
1. \$216.00 Summons Fee for Sherriff
  2. First Amended Petition

SUMMONS ORDERED TO ISSUE for service upon Defendant City of Berkeley

The Honorable Theodore Hoskins  
8425 Airport Road  
Berkeley, Missouri 63134

PLAINTIFF REQUEST THAT SUMMONS BE FORWARDED TO  
SHERIFF OF ST. LOUIS COUNTY FOR SERVICE UPON DEFENDANT.

SUMMONS ORDERED TO ISSUE for service upon Defendant

Bradley Beeman  
5850 North Hanley Road  
Berkeley, Missouri 63134

PLAINTIFF REQUEST THAT SUMMONS BE FORWARDED TO  
SHERIFF OF ST. LOUIS COUNTY FOR SERVICE UPON DEFENDANT.

SUMMONS ORDERED TO ISSUE for service upon Defendant City of  
Hazelwood.

Edwin Carlstrom, City Manager  
1186 Teson Road  
Hazelwood, Missouri 63042

PLAINTIFF REQUEST THAT SUMMONS BE FORWARDED TO  
SHERIFF OF ST. LOUIS COUNTY FOR SERVICE UPON DEFENDANT

SUMMONS ORDERED TO ISSUE for service upon defendant.

Heather Wright  
415 Elm Grove Lane  
Hazelwood, Missouri 63042

PLAINTIFF REQUEST THAT SUMMONS BE FORWARDED TO  
SHERIFF OF ST. LOUIS COUNTY FOR SERVICE UPON DEFENDANT.

SUMMONS ORDERED TO ISSUE for service upon Defendant

George Ervin  
5850 North Hanley Road  
Berkeley, Missouri 63134

PLAINTIFF REQUEST THAT SUMMONS BE FORWARDED TO  
SHERIFF OF ST. LOUIS COUNTY FOR SERVICE UPON DEFENDANT.

SUMMONS ORDERED TO ISSUE for service upon Defendant

Brittany Richardson  
5850 North Hanley Road  
Berkeley, Missouri 63134

PLAINTIFF REQUEST THAT SUMMONS BE FORWARDED TO  
SHERIFF OF ST. LOUIS COUNTY FOR SERVICE UPON DEFENDANT.

SUMMONS ORDERED TO ISSUE for service upon Defendant



Kevin Roberts  
5850 North Hanley Road  
Berkeley, Missouri 63134

PLAINTIFF REQUEST THAT SUMMONS BE FORWARDED TO  
SHERIFF OF ST. LOUIS COUNTY FOR SERVICE UPON DEFENDANT.

SUMMONS ORDERED TO ISSUE for service upon Defendant

Evelio Valdespino  
5850 North Hanley Road  
Berkeley, Missouri 63134

PLAINTIFF REQUEST THAT SUMMONS BE FORWARDED TO  
SHERIFF OF ST. LOUIS COUNTY FOR SERVICE UPON DEFENDANT.

Respectfully submitted,

KOLKER & GERMEROTH, LLC

By 

Thomas P. Germeroth, #47611  
7730 Carondelet Avenue, Ste 310  
Clayton, Missouri 63105  
(314) 727-4529 Telephone  
(314) 727-8529 Facsimile

Attorney for Plaintiff

R E C E I P T  
-----

21st Circuit LIVE Database

Receipt Number: 21SL2126466

Date: 01-MAY-2013

Cashier: MACOMDIS

Payor: THOMAS PHILLIP GERMEROTH

ID: 47611

Address: SUITE 310  
7730 CARONDELET  
CLAYTON, MO 63105

Court: 21st Judicial Circuit  
Case Type: CC Pers Injury-Other  
Location: St Louis County  
Case Judge: GLORIA CLARK RENO

First Charge on Case:

Violation/Docket	Description	Amount
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Case: 13SL-CC01401 - AMON WEST V CITY OF HAZELWOOD MISSOURI ETAL

Party: THOMAS PHILLIP GERMEROTH

Sheriff-Civil	234.00
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Sheriff Deputy Salary Supp	90.00
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Check #24452	-324.00
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Total Fees:	324.00
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Total Payment:	324.00
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Balance Due:	0.00
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Next Scheduled Event:

Judge for Event:

Location of Event:

Receipt Text:

NOTE: Case information shown on receipt is current as of the date printed.



## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMERO SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	

(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: HEATHER WRIGHT

Alias:

415 ELM GROVE LN  
HAZELWOOD, MO 63042

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

25-APR-2013

Date

Further Information:  
JMC

Clerk

## Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☒ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.  
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.  
☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

(name) (title).

☐ other

Served at 415 Elm Grove Ln, 63042 (address)

in St. Louis (County/City of St. Louis), MO, on 4-29-13 (date) at 9:34 (time).

Scott Kiefer

Printed Name of Sheriff or Server

Scott Kiefer

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on (date).

(Seal)

My commission expires: (date)

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$

Non Est \$

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ ( miles @ \$ per mile)

Total \$

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

APR 25 2013



## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMERO SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	

(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: CITY OF HAZELWOOD MISSOURI

Alias:

EDWIN CARLSTROM  
1186 TESON RD  
HAZELWOOD, MO 63042

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

25-APR-2013

Date

Further Information:  
JMC

*Joan P. Delaney*  
Clerk

## Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☒ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent. *Cindy, Admin Asst to city manager*
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

(name) (title).

☐ other

Served at 415 Elm Grove Ln, 63042 (address)  
in St. Louis (County) City of St. Louis, MO, on 4-29-13 (date) at 9:29 (time).

Scott Kiefer

Printed Name of Sheriff or Server

Scott Kiefer

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on (date).

My commission expires:

Date

Notary Public

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_  
Non Est \$ \_\_\_\_\_  
Sheriff's Deputy Salary  
Supplemental Surcharge \$ 10.00  
Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)  
Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

APR 25 2013

BY LEAVE

IN THE CIRCUIT COURT OF ST LOUIS COUNTY  
STATE OF MISSOURI

13 APR 26 PM 1:39

2 AMON WEST

Plaintiff,

v.

5 HEATHER WRIGHT, Individually and in  
her official capacity for acts done under color  
of state law in conjunction with police  
officers of the City of Hazelwood, Missouri

and,

4 CITY OF HAZELWOOD, MISSOURI

And,

6 BRADLEY BEEMAN, Individually and in  
his official capacity for acts done under color  
of state law in his capacity as a police officer  
for the Berkeley Police Department,

Serve: 5850 North Hanley Road  
Berkeley, MO 63134

and,

7 GEORGE ERVIN, Individually and in his  
official capacity for acts done under color of  
state law in his capacity as a police officer  
for the Berkeley Police Department,

Serve: 5850 North Hanley Road  
Berkeley, MO 63134

and,

Cause No.: 13SL-CC01401

Division No. 19

*So Ordered*  
*James C. Reed*  
*4/29/2013*

8 BRITTANY RICHARDSON, Individually  
and in his official capacity for acts done  
under color of state law in his capacity as a  
police officer for the Berkeley Police  
Department,

Serve: 5850 North Hanley Road  
Berkeley, MO 63134

and,

9 KEVIN ROBERTS, Individually and in his  
official capacity for acts done under color of  
state law in his capacity as a police officer  
for the Berkeley Police Department,

Serve: 5850 North Hanley Road  
Berkeley, MO 63134

and,

10 EVELIO VALDESPINO, Individually and in  
his official capacity for acts done under color  
of state law in his capacity as a police officer  
for the Berkeley Police Department,

Serve: 5850 North Hanley Road  
Berkeley, MO 63134

and,

11 JOHN DOE I, Individually and in his official  
capacity for acts done under color of state  
law in his capacity as a police officer for the  
City of Hazelwood, Missouri,

and,



THE CITY OF BERKELEY, MISSOURI

Serve: The Honorable Theodore Hoskins  
8425 Airport Road  
Berkeley, MO 63134

Defendants.

FIRST AMENDED PETITION

COMES NOW Plaintiff, by and through counsel, and for his First Amended Petition against Defendants, states as follows:

1. This Court has personal jurisdiction over Defendants, as Defendants are residents and citizens of political subdivisions of the State of Missouri.
2. This action is brought for damages under 42 U.S.C. §1983 in regards to violations by Defendants of rights secured by Plaintiff by the Fourth and Fourteenth Amendments to the United States Constitution. Attorney's fees and costs are sought pursuant to 42 U.S.C. §1988.
3. Defendant City of Hazelwood, ("Hazelwood") is a municipality incorporated under the laws of the State of Missouri.
4. Defendant City of Berkeley, ("Berkeley") is a municipality incorporated under the laws of the State of Missouri.

5. Defendant Bradley Beeman was a duly appointed and acting officer of the City of Berkeley Police Department, acting under color of law, to wit under color of the statutes, ordinances, regulations, policies, customs and procedures of the State of Missouri and/or City of Berkeley, Missouri.

6. Defendant George Ervin was a duly appointed and acting officer of the City of Berkeley Police Department, acting under color of law, to wit under color of the statutes, ordinances, regulations, policies, customs and procedures of the State of Missouri and/or City of Berkeley, Missouri.

7. Defendant Brittany Richardson was a duly appointed and acting officer of the City of Berkeley Police Department, acting under color of law, to wit under color of the statutes, ordinances, regulations, policies, customs and procedures of the State of Missouri and/or City of Berkeley, Missouri.

8. Defendant Kevin Roberts was a duly appointed and acting officer of the City of Berkeley Police Department, acting under color of law, to wit under color of the statutes, ordinances, regulations, policies, customs and procedures of the State of Missouri and/or City of Berkeley, Missouri.

9. Defendant Evelio Valdespino was a duly appointed and acting officer of the City of Berkeley Police Department, acting under color of law, to wit under color of the statutes, ordinances, regulations, policies, customs and procedures of the State of Missouri and/or City of Berkeley, Missouri.

10. Defendant Brittany Richardson was a duly appointed and acting officer of the City of Berkeley Police Department, acting under color of law, to

wit under color of the statutes, ordinances, regulations, policies, customs and procedures of the State of Missouri and/or City of Berkeley, Missouri.

11. Defendant John Doe I was a duly appointed and acting officer of the City of Berkeley Police Department, acting under color of law, to wit under color of the statutes, ordinances, regulations, policies, customs and procedures of the State of Missouri and/or City of Berkeley, Missouri.

12. Defendant Heather Wright was a duly appointed and acting officer of the City of Hazelwood Police Department, acting under color of law, to wit under color of the statutes, ordinances, regulations, policies, customs and procedures of the State of Missouri and/or City of Hazelwood, Missouri.

13. At all times pertinent herein, Defendant City of Hazelwood, Missouri acted by and through its policymakers and agents and acted under color of law in all respects herein.

14. At all times pertinent herein, Defendant City of Hazelwood, Missouri operated, supervised, controlled, and managed the City of Hazelwood Police Department, and Heather Wright.

15. At all times pertinent herein, Defendant City of Berkeley, Missouri acted by and through its policymakers and agents and acted under color of law in all respects herein.

16. At all times pertinent herein, Defendant City of Berkeley, Missouri operated, supervised, controlled, and managed the City of Berkeley

Police Department, and Bradley Beeman, George Ervin, Brittney Richardson, Kim Roberts, and Evelio Valdespino.

17. Defendants Bradley Beeman, George Ervin, Brittney Richardson, Kim Roberts, Evelio Valdespino, and Heather Wright are being sued in both their official and individual capacities for damages.

18. Plaintiff Amon West is a resident of St. Louis County, Missouri.

19. Plaintiff is suing the City of Hazelwood and the City of Berkeley, Missouri, for violations of his constitutional rights committed by police officers and agents of the City of Hazelwood, and the City of Berkeley acting under color of state laws, statutes, ordinances, policies, regulations, customs, and procedures of the State of Missouri and the Cities of Hazelwood and Berkeley, Missouri.

20. Defendants Counterman and Wright are being sued in their individual capacities, as well as scope of their employment, servitude, and/or agency as police officers with the City of Hazelwood, Missouri.

21. Defendants Bradley Beeman, George Ervin, Brittney Richardson, Kim Roberts, Evelio Valdespino are being sued in their individual capacities, as well as scope of their employment, servitude, and/or agency as police officers with the City of Berkeley, Missouri.

22. Plaintiff demands a trial by jury.

30. The force used against Plaintiff was unnecessary, unreasonable and excessive.

31. Plaintiff was then taken to DePaul Hospital where he was in coma and was diagnosed with severe close-head injury, facial fractures rendering him blind in his left eye.

32. At the time Plaintiff was assaulted and attacked with excessive force, he was fully restrained with handcuffs and was not a safety threat to himself or others, or disorderly.

33. At all times during the events described above, the Defendant police officers engaged in a joint venture. The individual officers assisted each other performing the various actions described and lent their physical presence in support and authority of their office to each other during the said events.

34. As a result of said acts by the defendant officers, Plaintiff suffered the following injuries and damages:

- a. Violation of his constitutional rights under the Fourth and Fourteenth Amendments of the United States Constitution to be free from excessive and unnecessary force, and to be free from unnecessary search and seizure of his person;
- b. Loss of his physical liberty;
- c. Physical pain and suffering and emotional trauma and suffering, requiring expenditure of money for his treatment.

35. The actions of Defendant officers violated the following clearly-established and well-settled constitutional rights of Plaintiff.

- a. Freedom from unreasonable search and seizure of his person;
- b. Freedom from the use of excessive, unreasonable and unjustified force against his person.

### COUNT I

(42 U.S.C. § 1983, Against Individual Defendants)

36. Plaintiff hereby incorporates paragraphs 1-35 as if stated herein.

37. Plaintiff claims damages for injuries set forth under 42 U.S.C §1983 against Defendants Beeman, Ervin, Richardson, Roberts, Valdespino and Wright for violation of his constitutional rights under cover of law.

WHEREFORE, Plaintiff prays for judgment against defendants Bradley Beeman, George Ervin, Brittney Richardson, Kim Roberts, Evelio Valdespino and Heather Wright. Actual and compensatory damages in the amounts to be determined by a jury that is fair and reasonable, in excess of \$25,000.00, and for reasonable attorney's fees pursuant to 42 U.S.C. §1988, as well as costs and other relief being just and proper under the circumstances.



COUNT II

(Assault and Battery Against Individual Defendants)

38. Plaintiff hereby incorporates paragraphs 1-35 as if set forth fully herein.

39. Defendants Beeman, Ervin, Richardson, Roberts, Valdespino, Wright, and Counterman assaulted and battered Plaintiff. As a result of this assault and battery, Plaintiff suffered damages as set forth herein.

WHEREFORE, Plaintiff prays for judgment against defendants Bradley Beeman, George Ervin, Brittney Richardson, Kim Roberts, Evelio Valdespino, Heather Wright, and Ryan Counterman. Actual and compensatory damages in the amounts to be determined by a jury that is fair and reasonable, in excess of \$25,000.00, as well as costs and other relief being just and proper under the circumstances.

COUNT III

(42 U.S.C. § 1983, Against The City of Hazelwood)

40. Plaintiff hereby incorporates paragraphs 1-35 as if set forth fully herein.

41. Prior to April 27, 2011, the City of Hazelwood developed and maintained policies or customs exhibiting deliberate indifference to the

constitutional rights of persons in Hazelwood, which caused the violation of Plaintiff's rights.

42. It was the policy and/or customs to inadequately and improperly investigate citizen complaints of police misconduct, acts of misconduct were instead tolerated by the City of Hazelwood.

43. It was the policy and/or custom of the City of Hazelwood to inadequately train and supervise its police officers, including the Defendant officers, thereby failing to adequately discourage further constitutional violations on the part of its police officers. The City of Hazelwood did not require appropriate in-service training or re-training of officers who were known to have engaged in police misconduct.

44. As a result of the above-described policies and customs, police officers of the City of Hazelwood, including the Defendant officers, believed their actions would not be properly monitored by supervising officers and the misconduct would not be investigated or sanctioned, but would be tolerated.

45. The above-described policies and customs demonstrated a deliberate indifference on the part of the policy makers of the City of Hazelwood to the constitutional rights of persons within the City of Hazelwood and were the cause of violations of Plaintiff's rights alleged herein.

WHEREFORE, Plaintiff prays for judgment against defendant City of Hazelwood. Actual and compensatory damages in the amounts to be

determined by a jury that is fair and reasonable, in excess of \$25,000.00, and for reasonable attorney's fees pursuant to 42 U.S.C. §1988, as well as costs and other relief being just and proper under the circumstances.

#### COUNT IV

(42 U.S.C. § 1983, Against The City of Berkeley)

46. Plaintiff hereby incorporates paragraphs 1-38 as if set forth fully herein.

47. Prior to April 27, 2011 the City of Hazelwood developed and maintained policies or customs exhibiting deliberate indifference to the constitutional rights of persons in Berkeley, which caused the violation of Plaintiff's rights.

48. It was the policy and/or customs to inadequately and improperly investigate citizen complaints of police misconduct, acts of misconduct were instead tolerated by the City of Berkeley.

49. It was the policy and/or custom of the City of Berkeley to inadequately train and supervise its police officers, including the Defendant officers, thereby failing to adequately discourage further constitutional violations on the part of its police officers. The City of Berkeley did not require appropriate in-service training or re-training of officers who were known to have engaged in police misconduct.

50. As a result of the above-described policies and customs, police officers of the City of Berkeley, including the Defendant officers, believed their actions would not be properly monitored by supervising officers and the misconduct would not be investigated or sanctioned, but would be tolerated.

51. The above-described policies and customs demonstrated a deliberate indifference on the part of the policy makers of the City of Berkeley to the constitutional rights of persons within the City of Berkeley and were the cause of violations of Plaintiff's rights alleged herein.

WHEREFORE, Plaintiff prays for judgment against defendant City of Berkeley. Actual and compensatory damages in the amounts to be determined by a jury that is fair and reasonable, in excess of \$25,000.00, and for reasonable attorney's fees pursuant to 42 U.S.C. §1988, as well as costs and other relief being just and proper under the circumstances.

Respectfully submitted,  
KOLKER & GERMEROTH, LLC

THOMAS P. GERMEROTH, #47611  
7730 Carondelet, Suite 310  
Clayton, Missouri 63105  
(314) 727-4529 Telephone  
(314) 727-8529 Facsimile  
Attorneys for Plaintiff




## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMERO SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

## Summons in Civil Case

The State of Missouri to: CITY OF HAZELWOOD MISSOURI  
Alias:

EDWIN CARLSTROM  
1186 TESON RD  
HAZELWOOD, MO 63042

**COURT SEAL OF**  
  
**ST. LOUIS COUNTY**

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

25-APR-2013  
Date

Further Information:  
JMC

*Joan P. Delaney*  
Clerk

## Sheriff's or Server's Return

**Note to serving officer:** Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_ a person of the Defendant's/Respondent's family over the age of 15 years.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).

☐ other \_\_\_\_\_ (address)

Served at \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server \_\_\_\_\_ Signature of Sheriff or Server \_\_\_\_\_

**Must be sworn before a notary public if not served by an authorized officer:**

(Seal) Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Notary Public \_\_\_\_\_

## Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ ( _____ miles @ \$ _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.




## IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: GLORIA CLARK RENO	Case Number: 13SL-CC01401
Plaintiff/Petitioner: AMON WEST	Plaintiff's/Petitioner's Attorney/Address THOMAS PHILLIP GERMERO SUITE 310 7730 CARONDELET CLAYTON, MO 63105
Defendant/Respondent: CITY OF HAZELWOOD MISSOURI	Court Address: ST LOUIS COUNTY COURT BUILDING 7900 CARONDELET AVE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Other	

(Date File Stamp)

## Summons in Civil Case

**The State of Missouri to: HEATHER WRIGHT**  
Alias:  
415 ELM GROVE LN  
HAZELWOOD, MO 63042

**COURT SEAL OF**  
  
**ST. LOUIS COUNTY**

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

25-APR-2013  
Date

*Joan P. Delaney*  
Clerk

Further Information:  
JMC

## Sheriff's or Server's Return

**Note to serving officer:** Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).

☐ other \_\_\_\_\_

Served at \_\_\_\_\_ (address)  
in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

\_\_\_\_\_  
Printed Name of Sheriff or Server

\_\_\_\_\_  
Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

(Seal) Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Notary Public \_\_\_\_\_

## Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ \_\_\_\_\_ ( \_\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)

Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

In the  
**CIRCUIT COURT**  
Of St. Louis County, Missouri



For File Stamp Only



West  
Plaintiff(s)  
vs.  
City of Hazelwood  
Defendant(s)

4-22-13  
Date  
BSL-CC01401  
Case Number  
Div 19  
Division

**SUBPOENA FOR TAKING DEPOSITION\***

(FOR USE PURSUANT TO RULES 57.09 & 58.02 IN AN ACTION PENDING IN THE CIRCUIT COURT OF ST. LOUIS COUNTY)

THE STATE OF MISSOURI to:

Custodian of Records  
City of Berkeley Police Dept.  
5850 N. Hanley Rd.  
Berkeley, MO 63134

YOU ARE HEREBY COMMANDED TO:

- ☒ APPEAR at the following place on the date and at the time indicated below:
- Place of deposition: Law office of Kolker & Hermeroth, LLC  
7730 Carondelet Ave. Suite 310  
Clayton, Missouri 63105
- Date of deposition: 4-24-2013
- Time of deposition: 10:00 a.m.
- ☐ CONTACT \_\_\_\_\_ (name) or \_\_\_\_\_ (telephone) who will advise of the place to appear.
- ☐ On behalf of \_\_\_\_\_
- ☐ To give testimony in the above cause pending in the Circuit Court of St. Louis County.
- ☒ To produce the following books, papers, documents, or tangible things:\*\*  
Call for Service Report # 8819

**SPECIAL NEEDS:** If you have special needs addressed by the Americans with Disabilities Act, please notify the party in whose office you are to appear for the deposition

WITNESS, Joan M. Gilmer, Clerk of the Circuit Court, with the seal thereof hereto affixed, at Clayton, in the County of St. Louis, this 22 day of April, 2013.

Joan M. Gilmer  
JOAN M. GILMER, Circuit Clerk

\* For depositions attach a list of all attorneys of record and self-represented parties. Include the name, address and telephone number.

\*\* With the agreement of all parties, the non-party may be excused from appearance at the location specified for document production and may produce the subpoenaed items to the party responsible for issuance and service of the subpoena, who shall then offer to all other parties the opportunity to inspect or copy the subpoenaed items. The party responsible for issuance and service of the subpoena is responsible for obtaining the agreement of all parties and advising the non-party in writing of the agreement, with a copy to all attorneys of record and self-represented parties. Absent such an agreement, the subpoenaed items shall only be produced at the place, date and time specified by the subpoena for all parties to inspect or copy.



## **AFFIDAVIT OF PROCESS SERVER**

**Circuit Court**

**County of Saint Louis**

**State of Missouri**

**West**

**Attorney:**

**Plaintiff**

SCOTT KOLKER  
7730 CARONDELET SUITE 10  
CLAYTON, MO. 63105

**vs.**

**City of Hazelwood**

**Defendant**

**APR 24 2013**

**JOAN M. GILMER**  
CIRCUIT CLERK, ST. LOUIS COUNTY

**Case Number: 13SL-CC01401**

**Court / Appearance Date: 04-24-2013**

**Court Time: 10:00 am**

Legal documents received by Pro-Serve on April 22nd, 2013 at : to be served upon **City of Berkeley Police Department, Custodian of Records at 5850 N. Hanley Road, Clayton, MO. 63105**

I, Jen Toler, swear and affirm that on **April 22nd, 2013 at 3:22 PM**, I did the following:

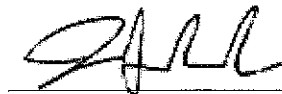
Served the **corporation** listed as the intended recipient of the legal documents by delivering a conformed copy of the **SUBPOENA FOR TAKING DEPOSITION to Glenna Smith as Administration** of the within named corporation. The completion date, time, my initials and/or name, and identification number, if required by state statute, were listed on the document served.

**Description of Person Accepting Service:**

Sex: Female Age: 40 Height: 5'7 Weight: 160 Skin Color: Black Hair Color: Black Glasses:

**Supplemental Data Appropriate to this Service:**

I declare that I am eighteen years of age or older and have no interest in the above legal matter. I attest that I am certified, appointed by sheriff or motion and order and that I am legally authorized to serve court documents within the above named circuit / county.



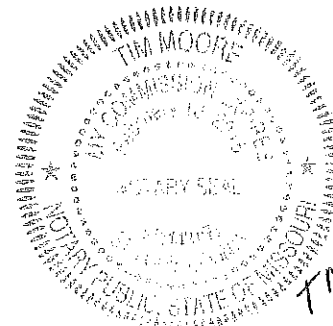
**Jen Toler**  
Process Server

**Pro-Serve**  
**6614 Clayton Rd. Suite #311**  
**St. Louis, MO 63117**

**(314) 961-2222**

**Internal Job ID: 2013002191**

**Reference Number:**



TM  
4-23-13

IN THE CIRCUIT COURT OF ST LOUIS COUNTY  
STATE OF MISSOURI  
13SL-CC01401

RECEIVED  
CIRCUIT COURT  
OF  
ST. LOUIS  
COUNTY

2013 MAY 22 PM 1:53

AMON WEST,

Plaintiff,

v.

CITY OF HAZELWOOD,

Serve: Edwin Carlstrom  
1186 Teson Rd.  
Hazelwood, MO 63042

and

HEATHER WRIGHT

Serve: 415 Elm Grove Ln  
Hazelwood, MO 63042

Defendants.

Cause Number:

Division:

**JURY TRIAL DEMANDED**

19

**MEMORANDUM FOR CLERK**

Enclosed please find, for filing on behalf of Plaintiff:

1. Civil Cover Sheet
2. \$97.00 Filing Fee, \$36.00 Summons fee for Defendant City of Hazelwood, \$36.00 Summons fee for Defendant Heather Wright
3. Plaintiff's Petition

SUMMONS ORDERED TO ISSUE for service upon defendant City of Hazelwood.

Edwin Carlstrom, City Manager  
1186 Teson Road  
Hazelwood, Missouri 63042

PLAINTIFF REQUEST THAT SUMMONS BE FORWARDED TO SHERIFF OF ST. LOUIS COUNTY FOR SERVICE UPON DEFENDANT.

SUMMONS ORDERED TO ISSUE for service upon defendant.

Heather Wright  
415 Elm Grove Lane  
Hazelwood, Missouri 63042

PLAINTIFF REQUEST THAT SUMMONS BE FORWARDED TO SHERIFF  
OF ST. LOUIS COUNTY FOR SERVICE UPON DEFENDANT.

Respectfully Submitted,

KOLKER & GERMEROTH, LLC

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Thomas R. Germeroth, #47611  
7730 Carondelet Avenue, Suite 310  
Clayton, MO 63105  
(314) 727-4529  
Fax: (314) 727-8529

Attorney for Plaintiff

IN THE CIRCUIT COURT OF ST LOUIS COUNTY  
STATE OF MISSOURI

AMON WEST

Plaintiff,

v.

CITY OF HAZELWOOD, MISSOURI

Serve: Edwin Carlstrom  
1186 Teson Rd.  
Hazelwood, MO 63042

and

HEATHER WRIGHT, Individually and in her  
official capacity for acts done under color of  
state law in conjunction with police officers of  
the City of Hazelwood, Missouri

Serve: 415 Elm Grove Ln  
Hazelwood, MO 63042

Defendants.

19

13SL-C001401

2013 JUN 12 PM 1:53

RECEIVED  
CIRCUIT COURT  
OF  
ST. LOUIS  
MISSOURI

PETITION

COMES NOW Plaintiff, by and through counsel, and for his Petition against  
Defendants, states as follows:

1. This Court has personal jurisdiction over Defendants, as Defendants are residents and citizens of political subdivisions of the State of Missouri.
2. This action is brought for damages under 42 U.S.C. §1983 in regards to violations by Defendants of rights secured by Plaintiff by the Fourth and

Fourteenth Amendments to the United States Constitution. Attorney's fees and costs are sought pursuant to 42 U.S.C. §1988.

3. Defendant City of Hazelwood, ("Hazelwood") is a municipality incorporated under the laws of the State of Missouri.

4. Defendant Heather Wright was a duly appointed and acting officer of the City of Hazelwood Police Department, acting under color of law, to wit under color of the statutes, ordinances, regulations, policies, customs and procedures of the State of Missouri and/or City of Hazelwood, Missouri.

5. At all times pertinent herein, Defendant City of Hazelwood, Missouri acted by and through its policymakers and agents and acted under color of law in all respects herein.

6. At all times pertinent herein, Defendant City of Hazelwood, Missouri operated, supervised, controlled, and managed the City of Hazelwood Police Department, and Heather Wright.

7. Plaintiff Amon West is a resident of St. Louis County, Missouri.

8. Plaintiff is suing the City of Hazelwood, Missouri, for violations of his constitutional rights committed by police officers and agents of the City of Hazelwood, under color of state laws, statutes, ordinances, policies, regulations, customs, and procedures of the State of Missouri and the City of Hazelwood, Missouri.

9. Defendant Wright is being sued in her individual capacity, as well as scope of her employment, servitude, and/or agency as a police officer with the City of Hazelwood, Missouri.

10. Plaintiff demands a trial by jury.

11. On or about April 28, 2011, Plaintiff was stopped and assaulted by defendant Wright while walking at or near the intersection of Hanley road and Elwyn road, Hazelwood, Missouri.

12. As a direct and proximate result of the conduct of Defendants as described herein, Plaintiff suffered the following injuries and damages:

- a. Violation of his constitutional rights under the Fourth and Fourteenth Amendments of the United States Constitution to be free from excessive and unnecessary force, and to be free from unnecessary search and seizure of his person;
- b. Loss of his physical liberty;
- c. Personal injuries to his body, including his face, neck, and head;
- d. Physical pain and suffering, and emotional trauma and suffering requiring the expenditure of money for medical treatment.

13. The actions of Defendants violated the following clearly established and well settled federal constitutional rights of Plaintiff:

- a. Freedom from the unreasonable seizure of his person;
- b. Freedom from the use of excessive, unnecessary, unreasonable and unjustified force against his person;
- c. Freedom from the failure of the policymakers of the City of Hazelwood, Missouri, in violation of the Fourth and Fourteenth Amendments to the Constitution of the United States to properly

manage, supervise, control and discipline the police department of the City of Hazelwood, Missouri;

14. The aforesaid constitutional rights have been clearly established and well settled since the ratification of the United States Constitution in 1789 and ratification of the Fourteenth Amendment on July 28, 1868, and are enforceable under 42 U.S.C. §1983 and under *Monroe v. Pate*, 365 U.S. 167 (1961).

15. Defendant Wright's actions caused violations of Plaintiff's constitutional rights in violation of the Civil Rights Act 42 U.S.C. §1983 et. seq.

16. Plaintiff claims damages for injuries set for under 42 U.S.C. §1983 et. seq. for violation of his constitutional rights under color of law.

17. Prior to April 28, 2011, City of Hazelwood developed and maintained policies or customs exhibiting deliberate indifference to the constitutional rights of persons in City of Hazel wood, which caused violation of Plaintiff's rights.

18. City of Hazelwood conducted police activity under color of law on behalf of the City of Hazelwood, including the powers of arrest, search, seizure, and detention in violation of the Fourth Amendment, and Fourteenth Amendment.

19. It was the custom and policy of City of Hazelwood to fail to properly hire, train, supervise or discipline its police officer, thereby failing to adequately discourage further constitutional violations on the part of its police officers.

20. As a result of the above described policies and customs, police officers of City of Hazelwood, including Defendant Wright, believed that their actions would not be properly monitored by supervisory officers and that misconduct would not be investigated or sanctioned, but would be tolerated.

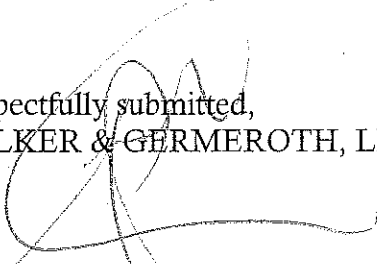


21. The above described policies and customs demonstrated a deliberate indifference on the part of policymakers of City of Hazelwood to the constitutional rights of persons within the City, and were the cause of violations of Plaintiff's rights herein.

22. Plaintiff seeks recovery for all injuries and damages set forth herein, under 42 U.S.C. §1983, including reasonable attorney's fees and expert witness fees pursuant to 42 U.S.C. §1988.

WHEREFORE, Plaintiff prays for judgment against Defendants for actual and compensatory damages in the amount to be determined by a jury as fair and reasonable, and for reasonable attorney's fees pursuant to 42 U.S.C. §1988, as well as costs and other relief deemed as just and proper under the circumstances.

Respectfully submitted,  
KOLKER & GERMEROTH, LLC



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THOMAS P. GERMEROTH, #47611  
7730 Carondelet, Suite 310  
Clayton, Missouri 63105  
(314) 727-4529 Telephone  
(314) 727-8529 Facsimile  
Attorneys for Plaintiff